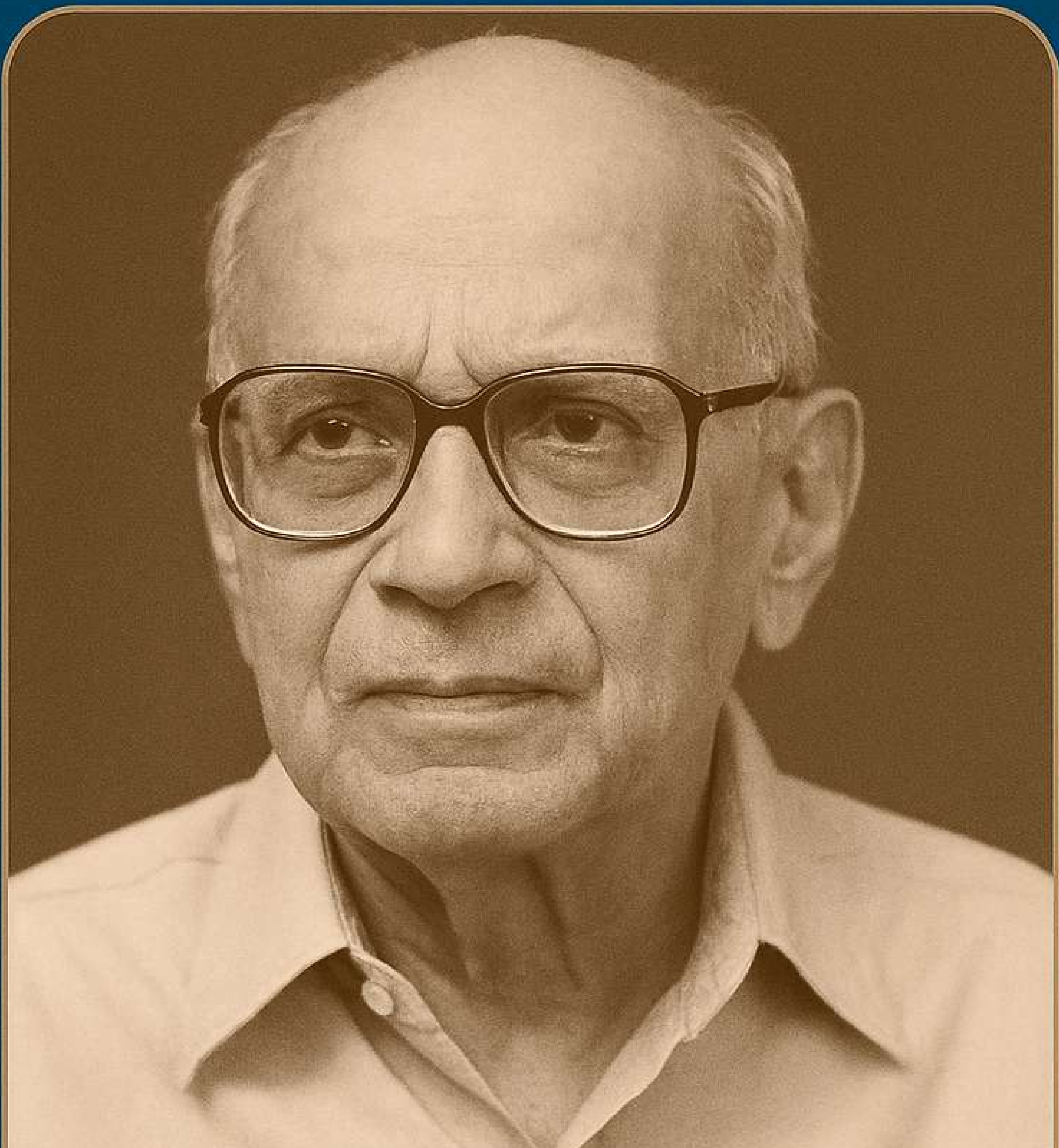
Dec 17th Pensioners Day
A Forgotten Warrior

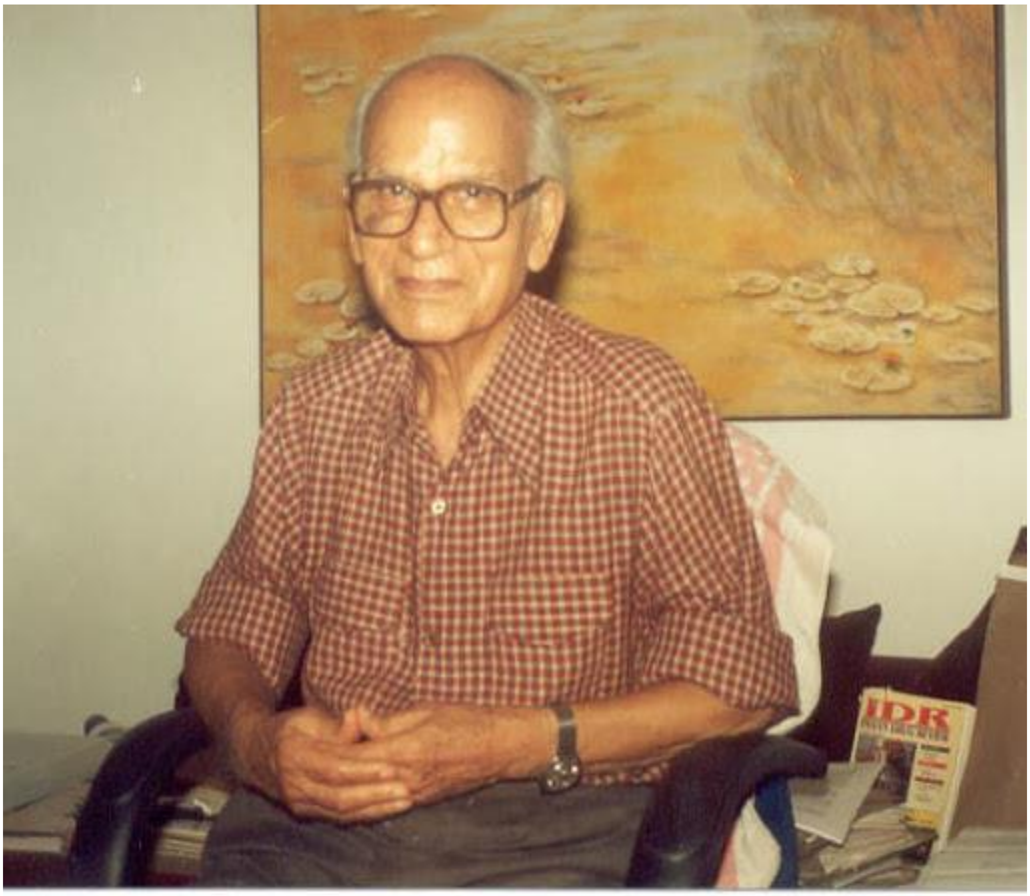


H D Shourie of Common Cause

R. Pattabiraman

Dec 17 pensioners day

A Forgotten Hero - Warrior of the Common Cause- H D Shourie



H.D.Shourie..."Motivation to serve people keeps me active."

10-12-2025 A Leaflet by R. Pattabiraman

Dec 17 pensioners day

A Forgotten Hero - Warrior of the Common Cause- H D Shourie

Indian have a Psyche of celebrating the actors appearing on the screens than the Directors labouring behind the screens. Hari Dev Shourie was that type of Director , a real director of Common Cause who fought relentlessly till his last breath for the cause of Common man. He was fondly called HD by his friends.

HD was born in a small agricultural village namely Batla at United Punjab of British period . we got different news about his year of birth some say 1911, others as 1912. He died on 28th June 2005. He had his college education at Lahore and entered ICS-civil services, presently IAS. He was Lahore sub Magistrate at during the time of Partition, he preferred to shift to India, New delhi. As an ICS officer , he was given charge of taking the welfare of Refugees from Punjab. After that he evinced keen interest as an administrative officer for setting up the National Productivity Council and the Indian Institute of Foreign Trade. He retired as Director General IIFT in 1969.

H D Shourie , Major General Dubey and another friend Vasudeva were neighbours in their residential area at Delhi. Ranganathan was a senior retired ICS. At his home only the Common Cause was found and named on the inspiration of 'Common Cause of USA'. HD wrote a letter to the ‘Common Cause of USA’ and got their no objection to use that name in India without any affiliation. Fali Nariman, Khushwant Singh and others helped to form that Society.

HD Shourie was a great spirit and instrumental for the cause three great achievements regarding pensioners. His initiative and continuous efforts made the cause of the Judgment arrived on dec 17, 1982- popularly called ‘Nakara case’. The other benefits that the Pensioners got were on the issues of Commutation and Family Pension. Lakhs of pensioners benefitted by these 3 cases. HD played prime role in all the three cases.

In his 25 years of 'Common Cause' activism, he himself drafted 70 Writ Petitions on various common social, political , economic and moral issues and fought at SC and Delhi HC..

HD had the conviction of attending the prayer meetings of Mahatma Gandhi and with all agony reported that he attended the prayer meet of Gandhi, just one day before his assassination (30th Jan), that is on 29th Jan 1948. he had high regards On Gandhi and Nehru.

HD had his best role in the Consumers movement and influenced Rajiv Government to bring Consumer Protection Act in 1986. He tried his best to expand that to the district level. When Gowda and Gujral were PMs they entrusted H D Shourie to bring 'Freedom of Information Bill'. We all know this has become a seed for the arrival of RTI Act later during Shri Manmohan singh Period.

The very first case taken up by Common Cause related to the problems of pensioners. Almost four million pensioners benefited from the three important Supreme Court judgments, relating to the extension of liberalisation of pension, restoration of commutation of pension and extension of the scheme of family pension. Over the years, Common Cause interventions have resulted in many more landmark judgments impacting the lives of millions of people.

The main stipulation of that 1982 Dec 17th Judgment is- differential treatment and distinction of Pensioners illegal. The Pensioners of CG form as a class for the purpose of benefits and no mini classification within the class. Pension is a Right and the payment of it does not depend upon the decision of the Government but by the rules.

In this piece I am not narrating the contents of the Judgment of 1982, which were widely discussed in various pensioners' forums. I try to bring the attention of the role Of H D Shourie and his efforts in shaping that judgement and continuous monitoring of the case till GOI implemented thro its OMs. He checked further whether the benefits gone even to the last pensioners living in obscure places. Unfortunately his role was not known to many pensioners. This piece may help to rehabilitate H D Shourie amongst the Pensioners.

HD was awarded Padmashri and Padhma bhooshan . Limka Book of Records named him once 'People of the Year'. Khushwant singh demanded Bharat Ratna for HD.

I have covered here what were the efforts of HD in that Nakara case, then some snippets about his personality. All his efforts were reported by him then and there during that trail of the case, and after the judgment also through his journal and Annual Reports. I have given the relevant excerpts from them.

II

The efforts and writings of HD in that 1982 Liberalisation of Pension case from the journal Common cause and Annual reports

April 1982 Issue reported (Excerptrs)

“ 10000 petitions sent to PM office, 1.2 million pensioners awakened - letter addressed to Pranab FM stating benefits of liberalising pensions 1979 given only to those retired on or after 31-3-1979, depriving all previous pensioners of these.

Anomalies- a Major retiring under 1979 rules entitled more pension than a Major General who retired earlier, section officer more than Secretary because of this 1979 scheme.

we met Finance sec and cabinet secy.

" Eventually when no justice was forthcoming from the Govt, common cause was left with no option excepting to take this matter to the SC.

Arguments heard on 8th and 9th dec 1981 by the Division Bench..T he bench expressed the importance of the matter and constitutional points necessitated to decide by the Constitution bench

july 1982 reports

WP heard by Division bench of SC in Nov 1981- referred it to the Constitution bench presided over CJI - April 1982 heard 3 days and reserved judgement

april 1983

we cannot take individual cases - only common grievances like discrimination because of liberalised pension 1979, restoration of commutation case, Family pension case like.

govt is delaying implementation of 1982 case. review dismissed. suggestions for contempt is coming, no intention of going contempt

we understand the **Govt has constituted a high level group to go into the entire question and evolve formulas for implementation of the SC judgment** and the objective in view is to issue instructions by early June. we will continue to watch further developments.

dec 1983

The efforts of common cause have borne fruit. **When common cause decided to file the Writ petition in SC by associating with it two pensioners**, one from among Civil pensioners (Mr D S Nakara) and one from defence Pensioners (Rear Admiral Satynder Singh), all sorts of doubts and misgivings were expressed by various associations and indivisuals stating annoying govt

The major problem of the pensioners in the matter of removal of discriminations caused by the Pension Liberalisation Rules of 1979 has been solved. The process of implementation of the Supreme Court judgement has begun. Govərnment's decision has been announced. Instructions have issued to the pension disbursing authorities and accounts ‘ officers. All pensioners will now be aware of what they have to do to derive the benefits arising from the Supreme Court judgement and from application of Pension Liberalisation Rules of 1979.

Arrears will be paid to each pensioner with effect from 1.4.79 and future payments of pensions will be re-calculated in accordance with the 1979 Rules. In the case of those who have died after 1.4.79, the arrears upto the date of demise will be claimable by the heirs.

The complicated nature of the problem will now be evident from the details which were examined and sorted out by the group of officers headed by Mr. R. Venkataraman, Controller General of Defence Accounts and the detailed instructions which have been issued by the Ministry of Finance. To this group of officers goes the credit of having evolved the concept of ready reckoners and the formula of using one increment as the basis of approximation for converting the average of 36 months' to 10 months' average and obviating the necessity of referring to service records for the bulk number of pensioners. It is inconceivable that this problem would otherwise have been resolved in the foreseeable future.

We have conveyed our grateful thanks to all those officers of the government who had helped to sort out this problem.

Instructions regarding all civil pensioners have been issued, vide Finance Ministry, Memorandum No.F 1(3)-EV 83 dated 22.10.1983. These relate also to the railway pensioners and all-India service pensioners. In these instructions it is stated that **instructions regarding defence pensioners will separately issue from the Ministry of Defence. This is the normal practice. Defence pensioners comprise larger number out of 11 lakh pensioners who stand to benefit from the** Supreme Court judgement, and we earnestly hope that the instructions will soon issue from the Ministry of Defence.

We have approached the government to accord exemption to deposits made from the present one-time payment of pension arrears under Section 80(C) of the Income Tax Act, which would help the government to draw substantial amounts of deposits from the arrears paid to the pensioners, help as a counter inflationary measure, and help the pensioners to overcome the problem of higher impact of income-tax.

Annual report 1982-83

PENSIONS :

The unremitting efforts put in by COMMON CAUSE have been crowned with success in providing relief to about 1.1 million central government pensioners all over the country. The discriminations caused by the pension liberalisation rules of 1979, whereunder all pre-1979 pensioners were deprived of the benefits of these rules, had been taken to the Supreme Court by COMMON CAUSE, along with two co-petitioners, in a Write Petition. Thə Division Bench of the Supreme Court, which originally heard the Petition, decided to refer it to the Constitution bench because of the importance of issues involved.

The Constitution Bench of five judges, presided over by the Chief Justice of India, heard the cause. The judgement was announced on 17.12.82. In a historic and land-mark judgement the

Supreme Court has upheld the contentions of COMMON CAUSE, The effect of the judgement is that all pre-1979 pensioners have become entitled to the benefits of pension increases under the pension liberalisation rules of 1979. This judgement is expected to lead to conferring of similar benefits to the pensioners of State Governments.

It is unfortunate that the Government of India decided to file a Review Petition against this judgement. This was summarily dismissed by the Supreme Court. The matter continued to be pursued by COMMON CAUSE with the Government of India for expeditious implementation of judgement. Taking account of the numerous problems and complications involved in the recalculations of pensions, the government set up a group of high-level officers for going into the entire matter.

Arising from the recommendations of this group of officers and after further deliberations the Govt of India has issued the orders in respect of civilian pensioners and it is hoped that the Ministy of Defence will soon issue the orders regarding the defence pensioners.

COMMON CAUSE has also been pursuing the other two important matters relating to pension, namely, removal of discriminations in relation to family pensions, and restoration of pension commutation. After having failed to evoke satisfactory response from the Government of Indian on these two matters, Writ Petitions on these subjects have been submitted by COMMON CAUSE to the Supreme Court. The Writ Petition on restoration of pension commutation has already been admitted by Supreme Court and is expected to be heard in the near future. The other petition, on family pensions will soon come up for preliminary hearing.

July 1984

PENSIONS OF DEFENCE PENSIONERS

The implementation of Supreme Court judgement has brought about serious discriminations and anomalies against the pre-1973 defence pensioners, particularly the pre-1970 defence pensioners. The ready reckoners forming part of the orders of the Ministry of Defence issued on 22-11-83 explicitly show that the pre-1970 defence pensioners, with the exception only of the senior-most ranks equivalent to Major Generals and above, do not gain anything at all from the application of the terms of 1979 liberalisation and that the gain to the pensioners of 1970-73 period is only marginal.

This matter has been analysed by the COMMON CAUSE in detail. A comprehensive note on the subject has been sent to the Prime Minister, Finance Minister, Defence Minister, Service Chiefs and other senior - most functionaries of the Government of India. We await further developments in this regard, and meanwhile preparations have been made for taking this matter to the Supreme Court. We reproduce below the memorandum which has been submitted to the Government for redressal of this wrong.

1992 Jan

Its (Common Cause) achievements include Supreme Court verdicts regarding extension of pensionary liberalisation benefits to all pre-1979 pensioners, family pension benefits to all pre-1964 pensioners, and restoration of pension commutation to all pensioners, these various benefits reaching over three million pensioners

COMMON CAUSE: A Romance With Public Causes (excerpts from that book of H D Shourie)

The first matter of primary importance taken to the Supreme Court was one relating to pensions, which attracted attention from all over the country and benefited 2.5 million pensioners. In 1979 the Government of India had introduced a measure of liberalisation for its pensioners, altering the formula of calculation of pension and thereby according a substantial increase, for further relief to the pensioners of civil as well as defence establishments, against developing inflationary pressures.

In issuing the orders of liberalisation, however, the government restricted the benefit of this measure only to those who retired after 1.4.1979. COMMON CAUSE made a collective presentation to the Prime Minister. **About 15,000 representations were sent to the Prime Minister, Smt. Indira Gandhi. In due course a three-line reply was received from the government, turning down the representations, and saying that government decisions could not have retrospective effect.**

COMMON CAUSE **filed a Writ Petition with the help of legal luminaries like Fali Nariman, P. H. Parikh and Anil Diwan, which was heard by a Constitution Bench of five judges. The Writ Petition filed in 1980 was eventually decided in 1982, the court holding that pensioners form one class and that no discrimination in the matter of pensionary benefits can be caused among them merely on the basis of date of retirement. The government was directed to apply the revised formula of** calculation **of pension to all pensioners, irrespective of the date of retirement. The government filed a review against the decision of Constitution Bench; the review was rejected.**

This decision of the Supreme Court became applicable to all central government pensioners, civil and defence - 1983-(2)-SCR-165.

This historic decision was taken note of by the Guinness Book of Records and they wrote to say that according to their information no other single case in the world had directly benefited such a larger number of persons through one decision.

Two other important decisions relating to pensions were secured by COMMON CAUSE from the Supreme Court. One was related to pension commutation, and the other to family pensions. These too benefited hundreds of thousands of persons all over the country.

The commutation rules, in operation for many decades, had decreed that pension will remain cut by the same commuted portion throughout the life of the pensioner. This was felt to be grossly unfair for the pensioners who lived long. The court decided in

favour of the pensioners, laying down that full pension in each case should be restored after 15 years from the date of retirement.

This was subsequently altered to 15 years from the date of commutation, because in some cases commutation takes place a considerable time after retirement. This decision forthwith restored full pension to hundreds of thousands of central government civil and defence pensioners who had already completed 15 years; and it also applied to pensioners of State Governments and institutions etc. COMMON CAUSE vs Union of India - AIR 1987 SC 210.

For Family Pension : A Writ Petition was filed in the Supreme Court from the platform of COMMON CAUSE, highlighting the deprivation caused to the widows of pre-1964 pensioners. This case was decided by the Supreme Court directing the government to give pensions to widows of pre-1964 pensioners on the same basis as decided for pensioners retiring after 1.1.1964, and also to pay them arrears from 1977 when rules relating to family pension had been revised. This decision, likewise, was later followed up by all State Governments.

The result of this decision was that hundreds of thousands of old widows, who had never dreamt that they would be made entitled to any pension, started getting pensions, and were paid arrears from 1977 - AIR 1985 SC 1196.

III who said what about Hari Dev Shourie

Khushwant Singh wrote so

H D Shourie deserves the Bharat Ratna. He has done more for this country than all the politicians and leaders put together

P K Dave former Lt Governor of Delhi

He achieved a most notable success in the Supreme Court in the retired civil servants Pension Case in which lakhs of pensioners benefited. The success in the cases of pensioners' widows and the restoration of pension commutation after 15 years followed soon, again benefiting lakhs. His achievements were many and varied, touching several aspects of people's lives as also the institutions of our federal democracy.

HD, as I started calling him, never hesitated in bringing up any of the shortcomings of governance, the justice system and parliament as well as of the political parties- And always earnest, fearless, and determined to pursue a public cause. This rare combination of unwavering integrity and deep humility won the respect of all, even those whose policies he was protesting against. The higher courts respected, even welcomed his activism, recognising his deep-seated interest in the welfare of the common man. In many cases he was permitted to present and argue his own petitions even though he was not a qualified lawyer.

N N Vohra

Of the dozens of PILs brought up by COMMON CAUSE, the one which made Shourie Sahib a household name among lakhs of retired government employees, related to his arguing before the Supreme Court, securing an order which eliminated a gross discrimination in the scale of pensions admissible to those who had superannuated before 1 April 1979 and those who retired after this date. Through another PIL he succeeded in ensuring that all widows would be entitled to Family Pension and not only those who lost their spouses after an arbitrary cut-off date, 1 April 1964. These two cases alone resulted in benefiting over four million pensioners in the country!

Son Arun Shourie

our father demonstrated what one phone and a ball-point pen can achieve, and that too, a phone without STD or ISD connections. His telephone diary has meticulous entries of law makers, law implementers, lawyers, experts, specialists, persons who work for others. How can anyone be so meticulous, I marvel, as I run through the vast array of names. He used this network of phone contacts to access valuable information for 'causes that burn'.

Daughter Nalini Singh

He exercised twice a day, in the morning and evening, even the day before he left us. And he washed his own clothes, up to his 93rd birthday. That morning of 28 June 2005, he read

the papers, had his tea and biscuits, and then lay down to rest for a while... It's commonly believed that the last moment is the most important moment of a person's life. We'll never know what his last thoughts were, but as a daughter, I know that he was saying goodbye lovingly and without any regrets, and meeting head-on the challenge that death presented.

Condolences on June 28th 2005- sent to his son

President of India A P J Abdul Kalam

I am saddened to learn about the passing away of your father Shri H.D. Shourie.

I knew your father as a person who had a strong will to see that anything he took-up was taken to its logical conclusion. He was also a person who had the interest of the common man in mind in all the initiatives he took. Due to his tireless efforts and those of many others like him over a period of time, transparency has today become one of the major themes in the country.

Prime Minister Manmohan Singh

I am deeply grieved to know that your father, Shri H.D. Shourie, has passed away in New Delhi.

Shri Shourie was a public-spirited person, who took up several causes which have a bearing on our national life and founded 'Common Cause' to provide a platform for addressing some of the pressing issues affecting our polity, society and economy. He was one of the prominent crusaders for a progressive social order. In spite of his old age and ailments, he continued his struggle to clean our public life and sensitize people about their roles and responsibilities as vigilant citizens for safeguarding freedom and democracy. In his sad demise, the country has lost an admirable social activist and conscientious citizen wedded to the ideals of public service.

LS Speaker Somnath Chatterjee

I am deeply saddened to hear about the passing away of Shri H.D. Shourie. He was a highly public-spirited citizen, a crusader against corruption and an ardent champion of consumer rights in the country. He kept up his activism in the service of the society till the fag end of his life. His demise will create a void, which will be difficult to fill. Please accept my heart-felt condolences.

Fali S Nariman

Yesterday(28th June 2005, H. D. Shourie, pushing 93, had, as usual, a relatively full day planned. But Fate picked him up at nine this morning, leaving him no time to think of who he would like to see at his funeral: yet, at three in the afternoon, they were all there, from the members of his own loving family right to the President (in the form of a beautiful wreath of condolence from Rashtrapati Bhavan).

In his old age, he did not conserve his seemingly boundless energy by looking after his health, but expended energy in countering injustices - by word of mouth, by letters, by petitions in court, and, up to the time he was 90, by personal appearance before judges.

He had a fine manner with judges - never rude, never impolite but yet firm and resolute, making his case point by point. Alas, we will not see the likes of him again, and I for one will sorely miss him. A great old oak has fallen and the forest of public causes will never quite be the same.

IV The Personality of HD

The following Books were written by H D Shourie

-This Universe of Science

-A Plan for Municipal Reform in India

-Life's Finale: Voluntary Exit to face death gracefully

-At his age of 90, he published a book of humour, The Funniest Jokes in the World,

-COMMON CAUSE: A Romance With Public Causes, which was brought out on completion of 25 years of service to the people by COMMON CAUSE.

Both Mr. H. D. Shourie and his wife, Mrs. Dayawanti Shourie, were fond of Urdu poetry. Among their favourites were Ghalib, Iqbal, Faiz (who had been a contemporary of Mr. Shourie at College in Lahore), Josh Malihabadi, Hafeez Jalandhari, Firaq, their friend Chaand Narain Raina, and others. Both knew many of the works of these favourites by heart.

Some Urudu couplets he loved :

“That I reach it or not, that is of no concern

At least my caravan is in search of the destination”

“True, I couldn't flood this garden with flowers

But I did pluck away a few thorns wherever I passed”

“Trees that are haughty and straight (like the eucalyptus) have no fruit

The ones that are laden with fruit (like the mango tree in summer) lift not their heads”

Not your kindness, it is your pen I want

I shall erase what you have written, and write my destiny anew

“ Awaken to who you really are, O tiller

The seed, you are; the land, you are; the effort, you; the harvest, you

O sigh, the search for what keeps you distraught

You are the path, you the traveller, you the guide, and the destination

that too is none but you

You are the wine, you the goblet, you the pitcher, and the saaki that too

is none but you "

"Let the storm blow as it will

He Himself is the guardian of our boat

It is possible after all

The shore may itself come flowing

Somewhere in the tumultuous waves"

The following were some of his famous quotes, showing us how a brilliant and humane personality HD was.

- I believe in living for the People

-Do one good thing every day. Do good to the individuals who cannot do anything to you in return

-I cannot reconcile myself to the fact that there are problems around and I cannot solve them....These are the things that push me. I have an urge within. If I can do it, why shouldn't I? If there is something that is causing inconvenience, why should I not try and eradicate it? I cannot divest myself of the responsibility.

- (At 70, he taught himself to paint.) 'People paint what is ugly,' , 'But I choose to paint the beautiful'

'one must never lose one's ability to laugh'

As father , advice to his sons Arun Shourie, Deepak and daughter Nalini. 'You are eagles,' he would tell them, 'And you will soar to great heights. Contrary winds will only raise you higher'.

HD's occasional interviews exhibited his passion for the cause of the people. In an interview dated **dec 11, 1999 to Tribune** at the age of 88, he opened his mind and said

" For India and Indians this has been the most remarkable era. **We were blessed to share a part of the century with Mahatma Gandhi who symbolised what India**

was and what it has the potential of becoming. To my mind the other great Indian was Tagore. However his influence was more on Bengal, whereas Gandhiji's aura was universal. I still remember the day when I attended Gandhiji's prayer meeting in Delhi little realising it would be his last before his assassination"

In that he said further about his activism on Consumer movement

" **I feel contented with what I have contributed to my country in this century** (20th)- whether an administrator or at the level of a consumer I have done what I have felt is right. But **the work which was given me the utmost satisfaction is the movement that I started called COMMON CAUSE. I feel I have constituted to enlighten Indian consumer about his or her rights"**

In an another interview to Vatsala Kaul of Harmony Journal he with all his pride shown her

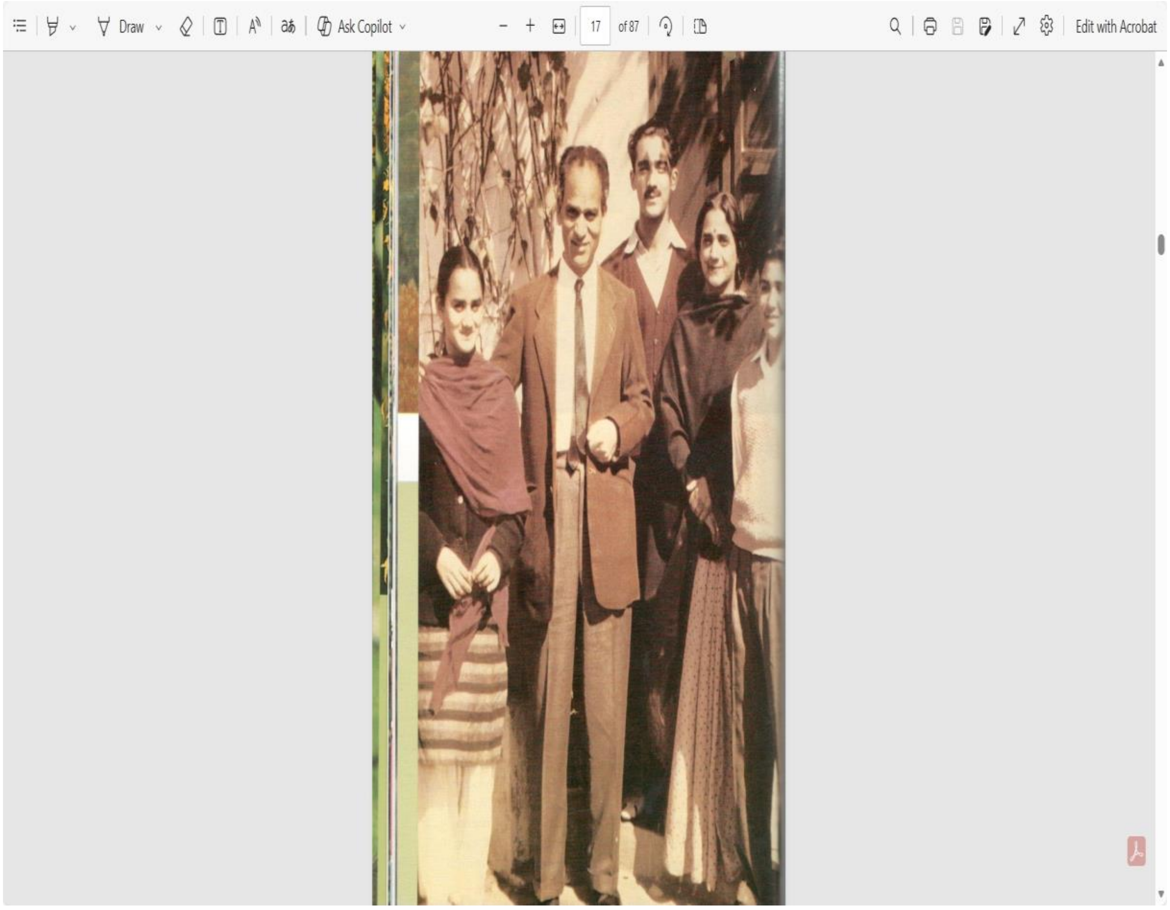
" see, There is book on everything here"

HD was a voracious reader and writer and fought for the cause of lakhs of pensioners and common people of India. He had taken the pension case to the Divisional Bench of SC, then fought at Constitutional Bench and achieved a landmark judgement in the life of CG pensioners. Lok Sabha attention was drawn by him, and good debate was held about the implementation of liberalised pension scheme as per the judgement. Com Somanath Chatterjee , Smt Krishna sahi, Subramaniya Swamy, Xavier Arackal participated in that debate and made the FM Pranab to give assurance for the implementation.

I have just tried here to rehabilitate the great fighter H D Shourie for the cause pensioners amongst the CG Civil and Army pensioners. If this piece gets attention, I feel happy.

Wishing all the Pensioners good health

09 hrs 10-12-2025 - R. PATTABIRAMAN



H D Shourie with his Family